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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**DKS ASSOCIATES, a California Corporation;  
DKS ASSOCIATES EMPLOYEE STOCK  
OWNERSHIP PLAN AND TRUST.**

## Plaintiffs,

AMERICAN QUALIFIED PLANS, INC.;  
TODD HENRY; GORDON STORJOHANN;  
and DOES 1-50, Inclusive.

## Defendants.

CASE NO. C 10-01187 JCS

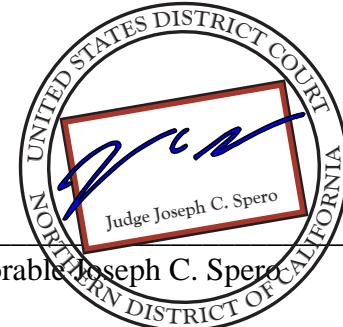
**[PROPOSED] ORDER DISMISSING  
ENTIRE ACTION WITH PREJUDICE**

JUDGE: Honorable Joseph C. Spero

In accordance with the parties' Joint Stipulation of Dismissal with Prejudice, it is hereby ORDERED that all claims in this action shall be dismissed with prejudice, including the complaint and any and all cross-claims or counter-claims that have been made or could have been made in this litigation, each party to bear his or its own attorneys' fees and costs. The dismissal with prejudice of all claims in this case between the parties hereto shall not prejudice any claims that the parties may have against other individuals or entities that the parties have not expressly named as parties hereto, or that are not defined as "Releasees" in the parties' Settlement Agreement and Mutual General Release.

IT IS SO ORDERED.

Dated: Jan. 21, 2011



Honorable Joseph C. Spero